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REMARKS**INTRODUCTION**

Claims 59-61, 63, 64, 66-69, 71, 72, and 77-86 were previously and are currently pending and under consideration.

Claims 59-61, 63, 64, 69, 71, 72, 77, and 79-86 are amended herein.

No new matter is being presented, and approval and entry are respectfully requested.

INTERVIEW SUMMARY

Applicant thanks the Examiner for the Interview dated November 22, 2004 on the Examiner's Interview Summary. At the Interview Applicant discussed various claim changes to improve the form and clarity of the claims. Applicant also disclosed the Valenti reference.

During the Interview the Examiner commented on a number of proposed changes to the claims. The claim changes herein were tentatively approved by the Examiner. The changes are discussed in detail further below. Specification support is provided where requested by the Examiner during the Interview.

During the Interview the Applicant also brought to the Examiner's attention the Valenti reference. Applicant remarked that the Valenti reference postdates the present application and therefore may not be used to directly show lack of novelty or obviousness of the presently claimed invention. Nonetheless, Applicant recognizes that in some circumstances a postdated reference may be of interest. For example, according to MPEP § 2124, 2143.03 a postdating prior art reference may be used to show the level of skill in the art "at or around the time the invention was made". Applicant respectfully submits that the Valenti reference most likely cannot be relied on for even this limited purpose. However, to avoid any question whether Applicant's duty of disclosure has been met, Applicant is submitting the Valenti reference via an IDS filed concurrently with this Preliminary Amendment.

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AMENDMENTS TO THE CLAIMS

The claim changes are discussed below, claim by claim.

Regarding claim 59, "that encodes" is added for clarity and only restates claim 59's feature that information can be recovered/recreated from frequency band(s). "[R]ecreated" is changed to "recovered" to clarify that the recovered information need not be an exact bit-for-bit recreation of the originally encoded information. It is well known in the art that recovering encoded information may result in minor differences, for example due to transmission errors, error correction, etc. "[T]ransmitting" is now used for improved clarity and readability. "[A]t on" is deleted to correct a typographical error. "[R]ecieving" is added to clarify what "simultaneous" operates upon.

Claim 60 is amended for consistency with its parent, claim 59.

Claims 61, 66, 71, 85, and 86 are amended to remove redundant language. Base claim, claim 59, recites the "substantially non-overlapping" language that is being removed from claims 61, 66, 71, 85, and 86.

Claim 63 is amended for consistency with the based claims from which it depends. Claim 63's base claims do not recite points as being "connection" points. An extraneous "at" was also removed; "at" was not intended to describe where the first and second signals were transmitted. This is clear from the fact that the point at which the first and second signals are transmitted was already established in base claims 79 and 80.

Claim 64 is amended for consistency and to clarify the relation between a point on a conductive path and a telephone jack.

Claim 69 is amended

Claim 71 is also amended for form and clarity.

Claims 72 and 77 are amended to clarify that the second information stream is transmitted as a signal.

Claim 79 is amended for consistency with parent, claim 59 ("transmitted") and for readability.

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Claim 80 is amended to further differentiate the second information stream from the second electrical signal.

Claim 81 is amended for consistency ("transmitting") and clarity.

Claim 82 is amended for improved form and readability.

Claim 83 is amended to remove superfluous language ("at least some"), to further clarify that the noise is induced from outside or beyond the conductive path ("induced on").

Claim 84 is amended based at least page 59, line 5, to page 60, line 2 of the specification. This portion of the specification describes how 6 MHz wide video signals can be placed inside the 7 MHz wide bands between 7-14 MHz and 14-21 MHz such that they avoid the amateur radio band at 14 MHz. These video signals are transmitted with a gap that can accommodate amateur radio signals. The amplitudes of these radio signals are described in the specification as having the potential to cause interference. One skilled in the art of information encoding and signaling will understand the difference between significant and insignificant recovery of information. Furthermore, the actual amplitudes may vary according to the actual manner of recovery.

Claims 85 and 86 are amended for consistency and for removal of redundant language.

Claim 86 is also amended to recite that a frequency band with the smallest signal to noise ratio (i.e. a noisiest band) is not used for recovery of the first information stream. Support for this recitation may be found at least at page 59, line 19, to page 60, line 2. This portion of the specification describes how a less noisy of two channels may be used as the source for the recovery of the information.

Applicant notes that the amendments herein are not made for purposes of patentability. The amended claims have already been allowed and therefore were patentable before this Preliminary Amendment.

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CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is again in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Preliminary Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: December 30, 2004